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The Effect of Tolerance of Ambiguity and the Familial Role of an Offender on Criminal
Decision Making

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Abstract

The effect of the gender, personality traits, attitude towards violence, and tolerance of ambiguity of an individual, as well as the offender's familial role on the punishment, sentencing, and parole of an offender was examined. College students were asked to read one of two criminal scenarios: with the offender being the sole caretaker for her family, or with another caretaker present, and then punish, sentence, and determine parole of the offender in the scenarios based on the crime presented. Offenders who were the sole caretakers of their family received less harsh punishments and sentences than offenders who had other caretakers present. They were also more likely to receive parole. Attitude towards violence and tolerance of ambiguity were not significant indicators of sentencing. Females and males differed in attitudes towards violence of war with males being more favorable to violence in war. However, males and females did not differ in sentencing. These findings suggest that being a sole caretaker decreases an offender's sentence. However, future research needs to be conducted on a more diverse sample to determine the effects of gender, authoritarian views, and one's attitude towards violence.

Keywords: tolerance of ambiguity, attitude towards violence, familial paternalism

The Effect of Right-Wing Authoritarianism and the Familial Role of an Offender in
Criminal Decision Making

American media promote a culture of fear- fear of being robbed, of being kidnapped, and of being murdered. It is almost as though it is a social norm to be fearful of those things. This fear intensifies as our proximity to crime increases; as we read about crime in our own backyard, fear drives us. It drives us to punish; to punish those who offend and create fear inside of us. When Americans punish, they punish from deep within. Their personal traits, centered on this innate fear of the “criminal”, create a desire for strict punishment for anyone who commits a crime, regardless of the circumstances. So what makes us feel the need to punish as strictly as we do? What personal characteristics and characteristics of others drive our desire for harsher punishments? Fear may be the backbone of our "punisher" mentality, but there is so much more to it than that.

In the past twenty years, “get tough” measures have been adapted in US crime policy. These “get tough” measures have led to harsher and longer sentences for all offenders, especially for violent crimes. According to research done by Capps (2002), in the ten year period from 1990 to 1999, the incarcerated population for State prisons rose on average, 5.8 percent each year. For Federal prisons, that increase was 9.9 percent in just one year (1998-1999). These increases have led to overcrowding, huge debts, and poor maintenance in the prisons. Many people have questioned why the Criminal Justice System continues to increase incarceration rates when there is no room for more inmates. Justification has been based on the theory that deterrence will stop crime; the harsher you punish, the less likely a person is to offend. One example of this increased deterrence, as demonstrated in Capps’ study on prisons, is the increased motivation to sentence to death. In America, 71 percent of the population is in favor of the death penalty for violent

crimes such as murder (Capps, 2002). Many people believe that the use of the death penalty, and the threat of it, is the best answer for curbing crime in America. Although much sociological research has been done on prisons and the increase in these “get tough” measures, psychologists have chosen to focus on the more personal rather than social aspects of those measures and why they exist. They have found that people’s attitudes towards violence and authoritarian views have greatly influenced the motivation to use tougher measures to punish criminals in America.

Tolerance of Ambiguity

Furnham and Ribchester (1995) examined the concept of tolerance of ambiguity by critically analyzing previous research findings on the matter. In their report, they termed tolerance of ambiguity as a personality variable referring to “the way an individual or group perceives and processes information about ambiguous situations or stimuli when confronted by an array of unfamiliar, complex, or incongruent clues.” A person with low tolerance would experience stress, would react prematurely, and would avoid ambiguous stimuli. A person with high tolerance of ambiguity would perceive ambiguous stimuli as desirable, challenging, and interesting. Essentially, tolerance of ambiguity is an emotional conflict a person goes through when he/she encounters an ambiguous situation. As a personality variable, there are many behavioral dispositions of tolerance of ambiguity. Resistance to the reversal of fluctuating stimuli and early selection and maintenance of one solution to a situation are common behavioral aspects. Others include the inability to allow for the possibility of good and bad traits in the same person, the acceptance of attitude statements representing a rigid black-white view of life, and the desire for certainty. In the criminal justice system, tolerance of ambiguity can be crucial to the sentencing and punishment of an offender. A person with low tolerance of ambiguity may react to a crime and only be able to see the bad in the offender. His/her decision to punish would

be rash and quickly determined. A person with high tolerance of ambiguity on the other hand, would seek certainty in the case and would examine all facts before making their decision. Although little research has been done on tolerance of ambiguity and criminal proceedings, experiments can be conducted to examine the correlation between a person's level of tolerance of ambiguity and their decision to punish an offender.

Attitude Towards Violence Scale

Another characteristic that can influence an individual's decision to punish and sentence an offender is his/her attitude towards violence. Benjamin (2006) examined the relationship between an individual's attitude towards violence and their right-wing authoritarian views. They gave participants in their study two scales to measure "attitudes towards violence" and "right-wing authoritarian views". The first scale administered was the Attitude Towards Violence Scale which demonstrated the relationship between violence and trait aggression (Anderson, Benjamin, Wood, & Bonnaci, 2006). It included four dimensions: (a) attitudes towards war, (b) penal code violence, (c) corporal punishment, and (d) intimate violence. The second scale administered was the Right Wing Authoritarian Scale (Altemeyer, 1996) that included three dimensions: (a) submissiveness to authority figures, (b) conventionalism, and (c) a propensity to engage in aggression sanctioned by authority figures. The research finding indicated that there was a positive relationship between a person's trait aggression and their attitudes towards violence. The researchers found that there was a high correlation between ATVS scores and RWA scores. The correlation between the two scales was especially significant for areas such as penal code violence- penalty by the law ($r = .26$); war ($r = .43$); and corporal punishment- a form of physical punishment involving the deliberate infliction of pain and retribution for an offense often found in prison settings ($r = .33$). The study concluded that individuals who identified as right-wing

authoritarians were more likely to favor harsher sentences for offenders, because those individuals viewed violence as an acceptable form of deterring crime, and as a necessary solution for the crime problem in America. Interestingly, the study also found that those views regarding violence differed greatly for males and females as males were more likely to favor harsher punishment than females were, and were more likely to score higher on the Attitude Towards Violence Scale. Although this study found a strong correlation between an individual's attitude towards violence and his/her level of right-wing authoritarianism, right-wing authoritarianism will not be studied in this project. Previous research with John Carroll University students found that on average, John Carroll students have a low level of right-wing authoritarianism, and there was not enough variability in scores for RWA to serve as a viable predictor variable. However, in the present study, an individual's attitude towards violence will still be studied.

Gender

Researchers have examined this gender difference in great detail, and how that difference may contribute to the "get tough" mentality of the American Criminal Justice System. For example, Gault and Sabini (2000) examined gender differences for punitive policies versus human reparative and preventative policies. Their research was conducted in four different studies. The first study explored whether there were gender differences for preference for punitive policies, direct human service policies, or preventative policies across social issues. The researchers found that women typically favored human service action, whereas men typically favored punitive action when punishing for crime. The second study and third study examined attitudes towards punitive policies as well as policy preferences of men and women. These studies further demonstrated the fact that men tend to focus on "perpetrator punishment" and thus support punitive actions over human service actions when dealing with the crime problem in

America. Women tend to be more “victim focused” and thus prefer human service actions. The fourth study used the Mehrabian and Epstein Questionnaire Measure of Emotional Empathy (Mehrabian & Epstein, 1972) and the Multidimensional Anger Inventory (Siegal, 1986) to examine possible trait causes of these differences. The researchers found that emotional reactions to crime play a huge role in determining attitudes towards crime and punishment. They found that emotions are activities of perpetual, motivational, and affective systems that are engaged by certain situations. These emotions lead to action. For example, when someone hears about an abused child, they might be more focused on the perpetrator and be filled with the desire to punish that individual, or they may be more focused on the victim and have a desire to comfort them. Gault and Sabini (2000) found that when it comes to crime, men are more likely to focus on the perpetrator and want to punish that individual, whereas women are more likely to focus on the victim and want to support them. The researchers found that these differences came from the different personality traits of males and females. Typically, males tend to have more trait anger than females. They are more aggressive and therefore favor more retributive policies when handling crime. Women on the other hand, tend to have more trait empathy and therefore support human service policies. These personality traits influence the gender differences in political policies because most influential political figures in society are men. They are fueled by their trait anger, and thus favor the “get tough” measures against criminals. Differences in sentencing can also be influenced by male and female characteristics because male-led juries will tend to seek harsher punishment than female-led juries.

Familial Status

Differences in sentencing can also be attributed to the familial role of the offender. Recent studies have examined just how influential the familial status of an offender is on the

outcome of their trial. This past research has also examined the differences in sentencing between male and female offenders with a familial status. Freiburger (2010) examined the effects of the “family role” and gender of an offender on a judge’s decision to sentence. Participants were instructed to read different vignettes about offenders who had committed a drug crime. The offenders were male, female, and had different familial statuses. In their analysis of the data, the researchers controlled all other factors and just examined the influence of gender and familial status of the offender on the participant’s decision to sentence. Their research found that defendants who were the sole caretakers for their family had lower incarceration rates than defendants who had another family member present as the main caretaker. The research also found that this was especially true for males. The differences between the two groups (sole caretaker and other caretaker present) were much greater for males than they were for females.

Overall, the research found that females tend to receive less harsh punishments than males do. This is true across all races as well. Statistics that show the difference in incarceration rates between males and females are as follows: on average, 56 percent of females and 71 percent of males who go to trial are sentenced to prison/jail (Demuth & Steffensmeier, 2006); on average, 44 percent of females and 22 percent of males receive probation with their sentences (Demuth & Steffensmeier, 2006); on average, females have a sentence of 22 months whereas males have a sentence of 33 months (Demuth & Steffensmeier, 2006); on average, male sentences are 20 percent longer than female sentences (Demuth & Steffensmeier, 2006).

The difference in sentence length and harshness for males and females has been found to be related to the familial role of those males and females. Daly (1987) proposed what is known as the Familial Paternalism Theory to explain those differences. Her research found that different family roles have varying effects on sentencing outcomes. Females tend to be considered as the

caretaker in a family, and also tend to receive less strict sentences. Her research also found that judges tend to grant leniency to defendants with families based on social cost and social control concerns. They sentence females less harshly because females have high levels of social cost and concerns. The familial responsibility of someone who is a caretaker attaches the defendant to society and makes them less likely to reoffend. The practical restraints of being a caretaker gives them less freedom and time and they therefore do not need to be sentenced as strictly as someone who is not a caretaker. Incarcerating a defendant with a family also has a high cost to society. It is difficult and expensive for the State to step in and replace the role of the caretaker. Because females tend to play the role of the emotional caretaker, they are especially hard for the State to replace. The removal of the female from the family is more disruptive than the removal of the male. Overall, the Familial Paternalism Theory provides explanation for the differences in sentencing between males and females but also the differences in sentencing overall. Playing the caretaker role decreases one's sentence and likelihood of incarceration, as well as does being a female offender.

Present Study

Past research has found that the "get tough" measures of the American Criminal Justice System can be attributed to the various characteristics of influential individuals in society. The attitudes and beliefs of those individuals impact the incarceration rates and degree of punishment given to offenders. Such attitudes and beliefs include one's attitude towards violence and level of tolerance of ambiguity. Other characteristics, such as personality traits and gender, have been shown to influence one's decision to punish, or not punish. The goal of this study is to examine how an individual decides to punish an offender and what characteristic of that individual and the offender contribute to that punishment. Specifically, the present study examines the

relationship between an individual's attitude towards violence, tolerance of ambiguity, trait characteristics, and gender on their decision to sentence and the degree of punishment given to an offender. This study also examines the role of the familial status of an offender and whether or not that influences an individual who is highly inclined to punish severely, to lessen their punishment.

In the present study, participants will be asked to participate in a "mock jury trial" of a female offender who is being accused of murdering her husband. After completing four questionnaires to determine the participant's tolerance of ambiguity, attitude towards violence, trait anger, and trait empathy, participants will read one of two scenarios. The two scenarios will describe the background of the murder, the murder itself, and the prosecuting and defense arguments. The only difference between the two scenarios will be that in one, the female is the sole provider for her family, whereas in the other, she has financial and emotional supportive care from her parents. Upon reading the scenario, participants will be asked to sentence and punish the offender.

Various hypotheses can be drawn from previous experiments for the present study. Based on research conducted by Furnham and Ribchester (1995), it is predicted that individuals with low tolerance of ambiguity will react quickly to the criminal scenario and sentence the offender harsher than those with high tolerance of ambiguity who seek certainty in their decision. Based on research conducted by Benjamin (2006) it is hypothesized that those who score higher on the Attitude Towards Violence Scale will sentence and punish the offender harsher than those who score low on the ATVS scale. Based on research done by Gault and Sabini (2000), it is hypothesized that males will score higher on the Trait Anger Scale and females will score higher on the Trait Empathy Scale. Because it has been found that males tend to be more aggressive

than females, it is hypothesized that males will have higher scores on the ATVS compared to females. Daly's Familial Paternalism Theory suggests that playing the role of the caretaker will decrease the likelihood of being incarcerated. It is hypothesized that when presented with a scenario in which the offender is the sole emotional and financial provider of the family, people who scored low on the ATVS scale will be more likely to provide less harsh sentences to the offender than if the offender was not the sole caretaker.

Method

Participants

For the present study, undergraduate students were recruited through their introductory psychology classes at John Carroll University. Participants were compensated with course credit for thirty minutes of participation. Participants were also gathered through Amazon's Mechanical Turk program where participants were compensated with ten cents for their participation. There were a total of 62 participants (48 females, 14 males) involved in this study. This study took place in the testing rooms located in the Psychology Department of John Carroll University for the undergraduate students, or online for the Mechanical Turk workers.

Materials

Questionnaires. Four questionnaires were given during this experiment to determine tolerance of ambiguity, attitude towards violence, trait anger, and trait empathy. Participants were also asked to indicate their gender. The first questionnaire given was the Tolerance of Ambiguity Scale (Budner, 1962) to determine the participant's level of tolerance of ambiguity. The scale included 16 questions and was scored on a 7-point scale (1=*Strongly Disagree*; 7=*Strongly Agree*).

The second questionnaire given was the Attitude Towards Violence Scale (Anderson, 2006) to determine how favorable an individual is towards violence. The survey included 39 questions about war, intimate partner violence, corporal punishment, and penal code violence that were scored on a 5-point scale (1=*strongly disagree*; 5=*strongly agree*).

The third questionnaire given was the Multidimensional Trait Anger Inventory Scale (Siegal, 1986) to determine the participant's level of trait anger. The survey included 39 questions that were scored on a 5-point scale (1=*strongly disagree*; 5=*strongly agree*).

The final questionnaire given was the Measure of Emotional Empathy Scale (Mehrabian & Epstein, 1972) to determine the participant's level of trait empathy. The survey included 30 questions that were scored on a 5-point scale (1=*strongly disagree*; 5=*strongly agree*).

Scenarios. There were two different scenarios (*Appendix A*) used in this study. The scenarios detailed the case of a female offender who was on trial for the murder of her husband. The details of the murder were included as well as a background story of the details leading up to the murder. The prosecuting and defense arguments were also included. In the first scenario, the offender was the sole emotional and financial provider for her family. In the second scenario, the offender's parents were the main caretakers of the family. The scenarios did not differ besides that.

Dependent Measures. There were three dependent variables used in this study. The first was the participants' ratings of punishment (*Appendix B*) that asked the participants to sentence the offender from one of five different options: (a) guilty of first degree murder, (b) guilty of second degree murder, (c) not guilty by reason of self-defense, (d) not guilty by reason of insanity, (e) and not guilty. Each option was given a one sentence description. The second measure was the sentencing measure (*Appendix C*) that asked the participants the degree of

punishment they would give the offender. The measure included ten choices: (a) 0 years, (b) 5 years, (c) 10 years, (d) 15 years, (e) 20 years, (f) 25 years, (g) 30 years, (h) 50 years, (i) life, (j) and death penalty. The third measure was the parole measure (*Appendix D*) that asked the participants if they would offer parole to the offender. The measure included three choices: (a) yes, (b) no (c) and does not apply.

Procedure

This experiment was a 2 x 2 x 2 Between-Within Subjects design with independent variables being Gender (male, female), Level of Tolerance of Ambiguity (high, low), and Familial Role of the Offender (sole caretaker, other caretaker). At the start of the experiment the participants were told that they would be participating in a mock jury trial where they would be playing the role of the jury. They were told that before they would be presented with the details of the case, they would have to answer a series of questionnaires in order to make sure they were fit to be a member of the jury. Each participant was then asked their gender and was given the four questionnaires. All participants answered the questionnaires in the same order. Once the participants completed the questionnaires they were presented with one of the two scenarios. The computer program randomly assigned participants to one of the scenarios and equally assigned both scenarios to the entire participant pool. Once the participants had finished reading the scenario, they were presented with the sentencing, punishment, and parole surveys. At the end of the experiment the participants were debriefed and thanked for their participation in the study. Since the scenarios were quite graphic and contained situations of abuse, the participants were told that they could choose to stop the experiment at any point, and were also given the phone number of the counseling center if they felt any mental discomfort from the study.

Results

In order to categorize participants as being relatively high or low in tolerance of ambiguity, a median split ($mdn = 48.0$) was conducted on the Tolerance of Ambiguity Scale. Then, to test the various hypotheses of this study, a 2 (Gender: male, female) x 2 (Tolerance of Ambiguity: high, low) x 2 (Familial Role of the Offender: sole caretaker, other caretaker) Between-Within Analysis of Variance (ANOVA), and several independent means analyses and multivariate ANOVAs were conducted to examine the effects of gender, tolerance of ambiguity, attitude towards violence, trait anger and trait empathy, and the familial role of an offender on a person's decision to punish and sentence an offender.

The 2 (Gender: male, female) x 2 (Tolerance of Ambiguity: high, low) x 2 (Familial Role of the Offender: sole caretaker, other caretaker) ANOVA showed that there was no significant interaction or main effect for gender, tolerance of ambiguity, and familial role of an offender on the decision to sentence, punish, and offer parole, $F_s(1, 60) < .20$. There was also no significant effect of tolerance of ambiguity on sentencing, $F_s(1, 60) < .60$.

An analysis of the familial role of the offender alone suggested that there was a significant difference in punishment, $F(1, 60) = 5.52, p = .022, \eta_p^2 = .08$, sentencing, $F(1, 60) = 4.67, p = .04, \eta_p^2 = .07$, and parole, $F(1, 60) = 4.21, p = .045, \eta_p^2 = .07$ between the sole caretaker and other caretaker conditions (*Figure 1*). Based on the mean sentences for the sole caretaker and other caretaker conditions, the sole caretaker condition received less harsh punishments, ($M = 2.79$) sentences ($M = 1.76$) than the other caretaker condition did ($M = 2.42$; $M = 2.55$). They were also more likely to receive parole ($M = 2.62$) than the other caretaker condition was ($M = 2.33$).

To test the other various hypotheses, independent means analyses and multivariate ANOVAs were conducted. The results showed few significant effects. One hypothesis predicted

that males would score higher on the trait anger scale than females would, and females would score higher on the trait empathy scale than males would. The analysis showed that there was no significant differences between males and females for trait anger, $F(1, 60) = .08, p = .93$. The analysis did however show that there was a trending significant difference between males and females for trait empathy, $p = .14, t(60) = -1.51$. The analysis showed that females scored higher on the empathy scale ($M = 3.69$) than males did ($M = 3.53$). Based on this hypothesis, it was suggested that males would have an overall harsher punishment and sentence than females because of their trait anger. However, based on the analysis, there were no significant main effects for punishment or sentencing for males and females, $F_s(1, 60) < 1.26$.

Another hypothesis suggested that males would score higher on the ATVS than females because of their trait anger. Analysis showed that there was a significant difference between males and females for ATVS scores, $F(1, 60) = 1.95, p = .02, \eta_p^2 = .08$. Males scored higher ($M = 2.26$) than females on the ATVS ($M = 1.95$) (*Figure 2*). Furthermore, There was a significant difference between males and females for ATVS war scores, $F(1, 60) = 10.76, p < .001, \eta_p^2 = .15$. Males scores higher ($M = 3.25$) than females did ($M = 2.66$). Despite these results, there was no significant effect of ATVS scores on sentencing, $p = .50$.

Discussion

The purpose of this experiment was to determine if the gender of an individual, their level of tolerance of ambiguity, and the offender's familial role affected the individual's decision to sentence, punish, and offer parole to the offender. The results showed that there were no significant effects for those three factors on sentencing, punishment, and parole of an offender. However, secondary analyses showed that there were trending and significant effects of the individual factors on sentencing, punishment, and parole.

Tolerance of Ambiguity

The results showed that there was no significant effect of level of tolerance of ambiguity and the familial role of an offender on the sentence of an offender. This result is inconsistent with hypotheses formed from previous research by Furnham and Ribchester (1995) that suggested that people who are intolerant of ambiguity would sentence and punish an offender rashly, thus leading to harsher sentences.

Familial Role

The results on just the familial role of the offender however, showed that there was a significant difference. The offender who was the sole caretaker received less harsh punishments and sentences than the offender who was the other caretaker. They were also more likely to receive parole. This result is consistent with results found by Daly (1987) and supports the familial paternalism theory. Being the sole caretaker of their family decreases the punishment and sentence the offender receives.

Gender

It was hypothesized that males would score higher on the Trait Anger Scale and females would score higher on the Trait Empathy Scale, however, the results also showed that there was no significant difference between males and females for trait anger; however females were trending to be more empathetic than males were. These results are inconsistent with results found by Gault and Sabini (2000) who found that males had more trait anger than females did. The empathetic results were consistent however. It was also hypothesized that because males tend to be more aggressive than females, they would sentence and punish the offender more harshly. The results showed that there was no significant difference in how males and females sentenced the offender. These results are not consistent with previous studies that found that males sentenced

offenders harsher due to their trait anger (Gault & Sabini, 2000). From these results, it could be suggested that the sample of females in this study had higher levels of trait anger than the normal sample of females. All females were from a small liberal university, which could have influenced their opinions on violence and retribution.

Interestingly, the offender in the scenarios was a female, and yet females still sentenced her just as harshly as males did. The context of the crime was domestic violence. I would have thought that females would have been more empathetic to the victim, which they were, and that they would have given her the lightest sentence possible. That however, was not the case. Perhaps the females in this study were empathetic to the abuse she faced, but not to the crime she committed- the murder of her husband. Males could have also given less harsh sentences because they did not want to appear empathetic to the abuser.

Other results of this study showed that there was a significant difference between males and females for ATVS scores. Males had higher scores on the ATVS than females suggesting that they are more favorable to violence. Furthermore, males scored higher on the ATVS war than females did, suggesting that they are more favorable to violence in war than females are. These results could be attributed to personal characteristics of males and females. Gault and Sabini (2000) found that men had more trait anger than females, which could influence their reactions towards violence and war. Females, being more empathetic, are not as favorable towards violence.

This study was testing the effects of gender, personality traits of males and females, tolerance of ambiguity, and the familial role of an offender on sentencing in the criminal justice system. Previous studies have suggested that an individual's tolerance of ambiguity and attitude towards violence influences their decision to sentence an offender. This study found that those

two characteristics of an individual did not correlate, and did not solely influence the individual's decision to sentence. The familial role of the offender however, independently, did influence the individual's decision to sentence. When the offender was the sole caretaker of their family, they received a less harsh sentence than the offender who had other caretakers of their family. This is because those sole caretakers are harder and more expensive to replace in society. Previous studies also suggested that because males exhibit more trait anger than females do, they would sentence the offender harsher. Even though the females in this study were more empathetic and males had more favorable attitudes towards violence and war, there was no difference in trait anger between males and females. This could suggest that the location of the sample and the political views of the females in this study influenced their decision to sentence. Other factors must have been present to influence these results. Such factors could be the location of the university, the gender of the offender, and the context of the crime.

Implications and Future Directions

A limitation of this study is that it focused on a female offender, instead of both a male and female offender. Results could have been different if the offender had been male, and the context of the crime had not been domestic violence. Males and females might have reacted differently to the presence of a female offender than they would have to a male offender. Specifically, males might have feared appearing sympathetic to the attacker if they gave the offender a harsher sentence and punishment. A comparative analysis of male and female offenders would improve this study and provide for a more well-rounded understanding of the criminal justice system. Furthermore, because results showed trending significance, more participants could have made those results significant. An analysis of a wider sample, with a more diverse background and political ideology would improve this study. Lastly, this study did

show that aspects of the offender's life do influence an individual's decision to sentence them. However, future research needs to be done on the aspects of the individual's life who is sentencing the offender. The results of this study were not consistent with past research which suggests that the study needs to be revised and replicated with more participants. In order to better understand the reasoning behind the "get tough" mentality of America's criminal justice system, we need to be able to understand the people behind the system.

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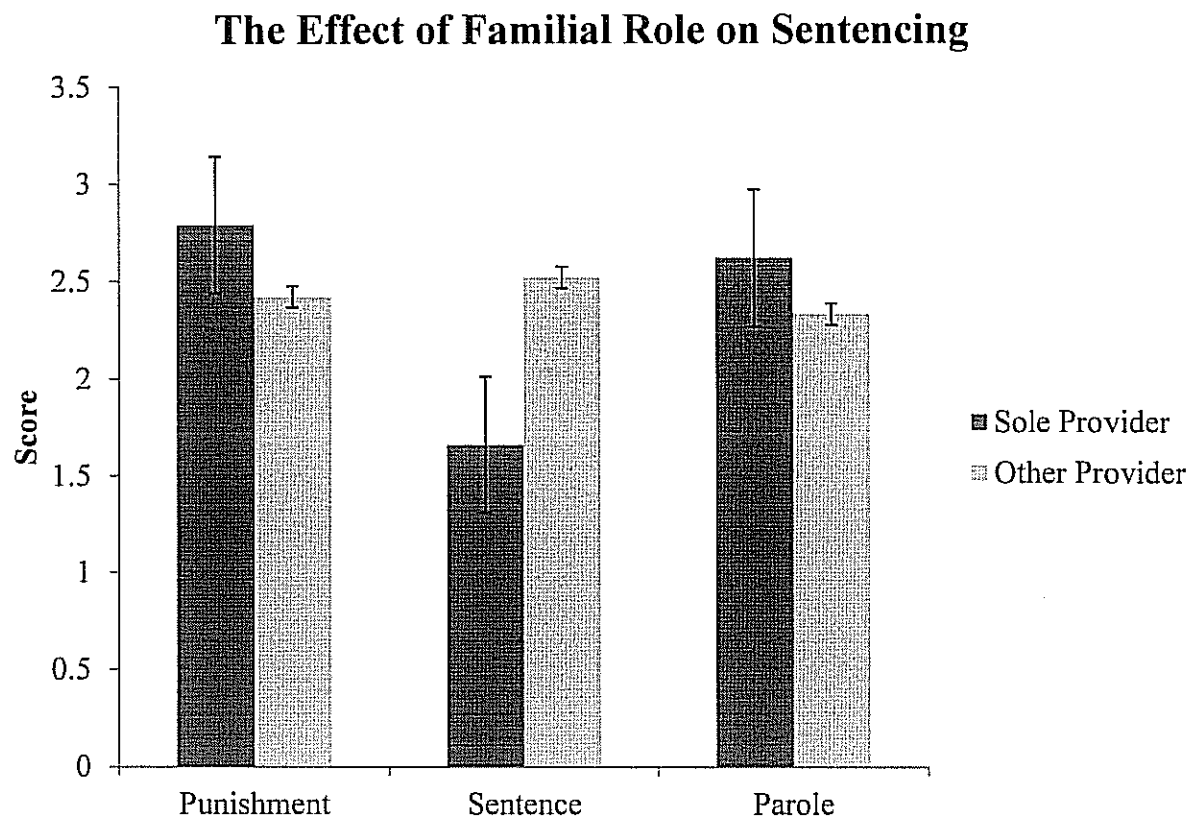


Figure 1. The mean punishment, sentence, and parole decision for an offender as a sole provider of her family and as an offender with another provider for her family. There was a significant difference in punishment, sentencing, and parole for the sole provider and other provider groups. Standard errors are represented in the figures by the error bars attached to each column.

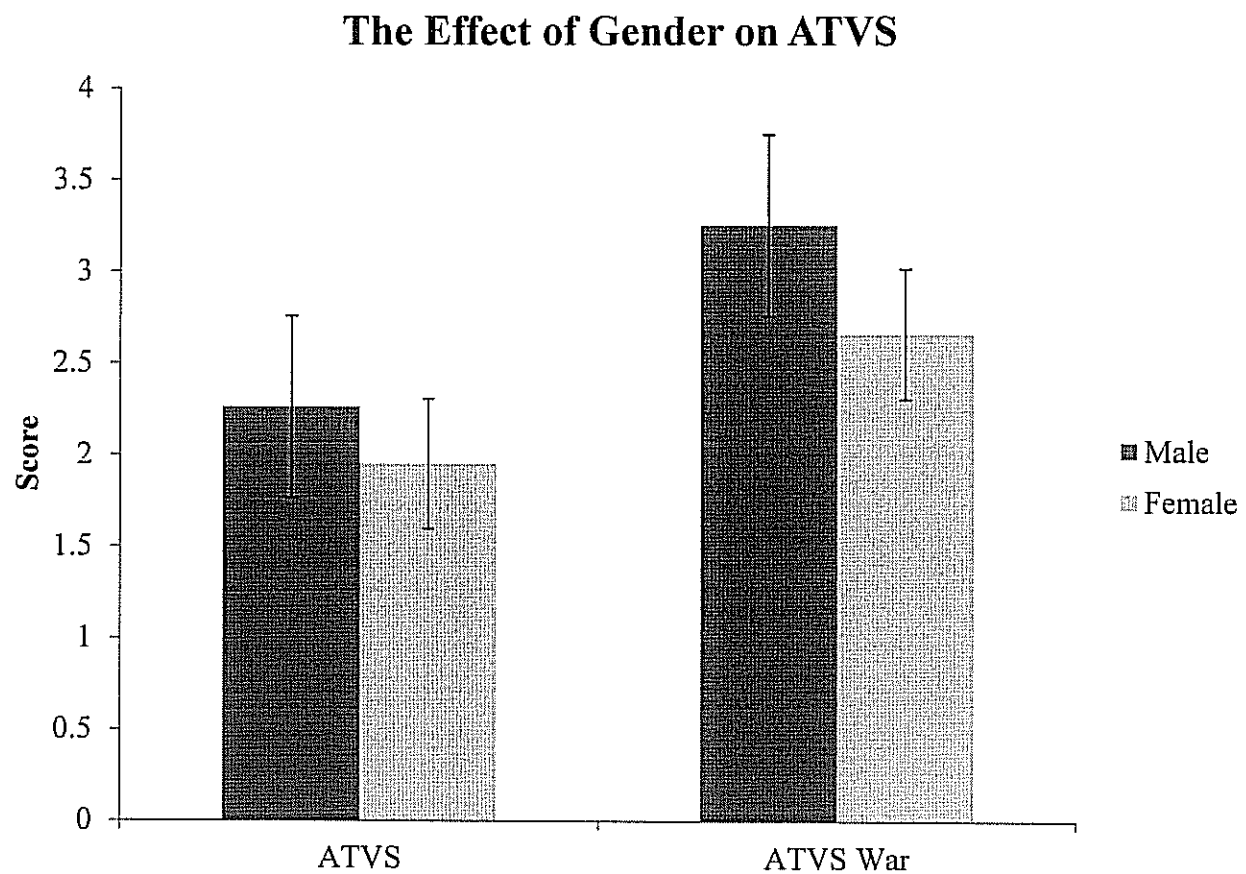


Figure 2. The mean ATVS and ATVS war scores for males and females. There was a significant difference for scores between males and females. Standard errors are represented in the figures by the error bars attached to each column.

Appendix A

The Effect of the Familial Role of an Offender

Scenario One: Sole Caretaker Condition

Joanna McGuire is 38 years old and has been married to Jack for 12 years. Jack and Joanna have three kids together, eight year old Jackson and four year old twins Sarah and Emily. Jack and Joanna met in college, married two years after graduating, and moved to a new city where neither of their families reside, in order to pursue their careers. For a long time, their marriage seemed perfect. Joanna works as a middle school teacher and Jack is recently unemployed after being let go from his company. Since he lost his job, Joanna has become the sole financial provider for the family. She provides the income as well as all of their health care. Upon losing his job, Jack changed. He became distant from the family and started to drink quite heavily. He would spend his days at the bars and on several occasions did not even return home at night. Joanna had to pick up the slack and became the sole caretaker of the children. Jack couldn't be bothered to even pick the children up from school, so Joanna had to adjust her daily schedule in order to make sure they got home safely. She provided the sole emotional and financial support they needed while her husband drank himself into a stupor night after night.

After a few months of watching Jack spiral downwards, Joanna confronted him. She told him that he needed to get his act together and find a job and become an active member of the family again. Jack got very angry and defensive and started to fight with Joanna. Drunk and full of rage, Jack shoved Joanna into their TV stand. Joanna hit her head and was knocked unconscious for a few minutes. When she woke, Jack was gone. From that night on, Jack and Joanna's relationship grew to be very hostile.

After being at the bar all day and night, Jack would come home and demand sex. If Joanna refused, he would squeeze her arms as tight as he could until she bruised and gave in. The sex wasn't the only abuse that Joanna endured. If Jack needed beer money and Joanna refused to give him any, he would hit her until she caved. As the months went on, the abuse got worse and worse. Jack would get jealous of Joanna's success and would forbid her from seeing her family or friends. He started spending more time at home but would sit and drink all day. Whenever Jack got angry or upset, he would take his anger out on Joanna. She had many bruises and a few broken bones. Several times throughout the year Joanna threatened to leave Jack and take the kids. Each time she did, he would vow to find her and kill them. Joanna feared for her life as well as her children's lives.

One night, when the children were sleeping at a friend's house, Joanna decided to approach Jack again. This time however, she promised herself that she wouldn't let him hurt her. She told Jack that she was leaving him for good, and that if he came after her and then kids, he would regret it. Jack was so angry that he punched Joanna as hard as he could. The blow knocked her off her feet. Jack screamed that the discussion was over. Joanna was so terrified that she knew she would not be safe with him. She had to protect her family. She ran upstairs and grabbed Jack's pistol from his gun cabinet. She went back downstairs and walked right up behind him. She fired four shots into his back. Jack died instantly. The next morning Joanna was arrested for the murder of her husband.

Prosecutors for Joanna's trial painted the picture that Joanna was a ruthless killer who committed a premeditated and malicious murder. They explained that Joanna could have left with the children and gone into protective hiding if she really feared for her life. The prosecutors also stated that Joanna could have gone to the police with her allegation of domestic abuse to protect

her family. The state psychiatrist testified that Joanna was completely sane and knew exactly what she was doing when she pulled the trigger and shot her husband; she did not suffer from any mental diseases that would have caused her to become violent. The prosecutors also argued that four bullets were completely unnecessary and showed that Joanna committed the crime with the intent to kill.

Joanna's defense attorney argued a different side to the event. After being tested by a private psychologist, the defense attorney argued that Joanna was suffering from Battered Woman Syndrome, a theory that argued that abused women feel like they have to kill their abusive husbands in order to save their life. They feel like there are no other options to escape the abuse. The syndrome is highly controversial and many judges and juries do not believe that it is a legitimate plea in a court of law. However, the defense used this syndrome to plea that Joanna acted in self-defense. They also argued that as the sole caretaker of the children, Joanna was acting to protect them. Removing her from their lives would place the children in the system where they would most likely be separated and placed in foster care. The defense argued that it would be a terrible consequence should the jury find her guilty of murder.

Scenario Two: Other Caretaker Condition

Joanna McGuire is 38 years old and has been married to Jack for 12 years. Jack and Joanna have three kids together, eight year old Jackson and four year old twins Sarah and Emily. Jack and Joanna met in college, married two years after graduating, and currently live in Joanna's home town, just minutes down the road from her parents. For a long time, their marriage seemed perfect. Joanna works as a middle school teacher and Jack is recently unemployed after being let go from his company. Since he lost his job, Joanna has become the sole financial provider for the

family. She provides the income as well as all of their health care. Upon losing his job, Jack changed. He became distant from the family and started to drink quite heavily. He would spend his days at the bars and on several occasions did not even return home at night. Joanna had to pick up the slack and work extra hours at the school in order to make enough money for the family. She was often gone all day and night, which kept her away from her children. Jack refused to help out and couldn't be bothered to even pick the children up from school. Luckily, Joanna's parents stepped in. With Joanna at work all of the time and Jack at the bars, Joanna's parents became caretakers for the children. They provided the children the emotional support they needed during the difficult time by spending almost every day caring for them. The children would spend many days and sometimes an entire week at a time with Joanna's parents. They often provided money as well, since both were retired and living on generous pensions. As the year went on, the children spent more and more time with Joanna's parents and were eventually practically living with them instead of their mother. The stress of her job and marriage was just too much of a burden on Joanna. Her parents offered some relief by taking her kids off her hands.

After a few months of watching Jack spiral downwards, Joanna confronted him. She told him that he needed to get his act together and find a job and become an active member of the family again. Jack got very angry and defensive and started to fight with Joanna. Drunk and full of rage, Jack shoved Joanna into their TV stand. Joanna hit her head and was knocked unconscious for a few minutes. When she woke, Jack was gone. From that night on, Jack and Joanna's relationship grew to be very hostile.

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One night, when the children were sleeping at her grandparents, Joanna decided to approach Jack again. This time however, she promised herself that she wouldn't let him hurt her. She told Jack that she was leaving him for good, and that if he came after her and then kids, he would regret it. Jack was so angry that he punched Joanna as hard as he could. The blow knocked her off her feet. Jack screamed that the discussion was over. Joanna was so terrified that she knew she would not be safe with him. She had to protect her family. She ran upstairs and grabbed Jack's pistol from his gun cabinet. She went back downstairs and walked right up behind him. She fired four shots into his back. Jack died instantly. The next morning Joanna was arrested for the murder of her husband.

After being tested by a private psychologist, the defense attorney argued that Joanna was suffering from Battered Woman Syndrome, a theory that argued that abused women feel like they have to kill their abusive husbands in order to save their life. They feel like there are no other options to escape the abuse. The syndrome is highly controversial and many judges and juries do not believe that it is a legitimate plea in a court of law. However, the defense used this

syndrome to plea that Joanna acted in self-defense. They also argued that sending Joanna to prison would remove her from her children's lives.

Prosecutors for Joanna's trial on the other hand, painted the picture that Joanna was a ruthless killer who committed a premeditated and malicious murder. They explained that Joanna could have left and gone into protective hiding if she really feared for her life. The prosecutors also stated that Joanna could have gone to the police with her allegation of domestic abuse. The state psychiatrist testified that Joanna was completely sane and knew exactly what she was doing when she pulled the trigger and shot her husband; she did not suffer from any mental diseases that would have caused her to become violent. The prosecutors also argued that four bullets were completely unnecessary and showed that Joanna committed the crime with the intent to kill. As far as the children were concerned, the prosecutors claimed that Joanna had neglected her children and had been absent from their lives during a time when they needed their mother. For almost a year, Joanna's parents had become the main caretakers of the children. The prosecutors argued that the children would be better off in the custody of the grandparents who had been raising them in a stable and loving home, with money and opportunity. They argued that her children should not be considered a factor when sentencing Joanna.

Appendix B

The Effect of the Familial Role of an Offender on Punishment

If you were a juror in this trial, would you find the defendant Joanna McGuire:

- (a) Guilty of 1st degree murder-* unlawful killing that is both willful and premeditated
- (b) Guilty of 2nd degree murder-* unlawful killing that was willful but not premeditated
- (c) Not Guilty by reason of self-defense-* the defendant was protecting herself from immediate danger
- (d) Not guilty by reason of insanity-* the defendant was suffering from a mental disease or defect and did not believe that what they were doing at the time was wrong
- (e) Not guilty-* the defendant did not commit the crime

Appendix C

The Effect of the Familial Role of an Offender on Sentencing

How would you sentence the defendant Joanna McGuire?

- (a) 0 years
- (b) 5 years
- (c) 10 years
- (d) 15 years
- (e) 20 years
- (f) 25 years
- (g) 30 years
- (h) 50 years
- (i) Life
- (j) Death Penalty

Appendix D

The Effect of the Familial Role of an Offender on Parole

Would you offer the defendant parole?

(a) Yes

(b) No

(c) Does not apply